



UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Patents  
United States Patent and Trademark Office  
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Office of Regulatory Policy  
Food and Drug Administration  
10903 New Hampshire Ave., Bldg. 51, Rm. 6222  
Silver Spring, MD 20993-0002

Attention: Beverly Friedman

Dear Ms. Axelrad:

Transmitted herewith is a copy of the application for patent term extension of U.S. Patent No. 5,451,233. The application was filed on July 25, 2008, under 35 U.S.C. § 156.

The patent claims a product that was subject to regulatory review under the Federal Food, Drug and Cosmetic Act. Subject to final review, the subject patent is considered to be eligible for patent term extension. Thus, a determination by your office of the applicable regulatory review period is necessary. Accordingly, notice and a copy of the application are provided pursuant to 35 U.S.C. § 156(d)(2)(A).

Inquiries regarding this communication should be directed to the undersigned at (571)272-7755 (telephone) or (571) 273-7755 (facsimile).

Mary C. Till  
Legal Advisor  
Office of Patent Legal Administration  
Office of the Deputy Commissioner  
for Patent Examination Policy

cc: Daniel J. Hulseberg  
BAKER BOTTS LLP  
30 Rockefeller Plaza  
New York, NY 10112-4498

RE: XIENCE V® EECSS (everolimus eluting coronary stent system)  
Docket No.: FDA-2008-E-0551